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2nd June, 1960

COCOM Document 3715.44/6

COORDINATING COMMITTEERECORD OF DISCUSSIONONNETHERLANDS PROPOSAL CONCERNING THE INTERPRETATION OFITEMS 1544 and 1560 - SILICON DIODES23rd May and 1st June 1960

Present: Denmark, France, Germany, Italy, Japan, Netherlands, United Kingdom, United States.

References: COCOM Docs. 3715.44/4 and 5.

1. The CHAIRMAN drew the Committee's attention to the two memoranda submitted by the Netherlands Delegation regarding the interpretation of Items 1544 and 1560 insofar as the coverage of silicon diodes was concerned (COCOM Docs. 3715.44/4 and 5). He invited the views of Member Governments in particular on the proposal contained in the lastmentioned document for the addition of a note to Item 1544 and 1560.
2. The UNITED KINGDOM Delegate stated that he was able to agree to the Netherlands proposal as worded in COCOM Doc. 3715.44/5 both as concerned the note to be added to Item 1544 and that to be added to Item 1560.
3. The ITALIAN Delegate stated that, while his authorities had no strong views in this connexion, they had studied the Netherlands proposal and were prepared to accept it.
4. The GERMAN Delegate thanked the Netherlands authorities for bringing the matter before the Committee. The German authorities fully shared their concern as to the interpretation of Items 1544 and 1560 and could agree to the proposal put forward. They believed that no substantive change was involved therein, since the proposal merely indicated that diodes excluded under Item 1544 were not caught by Item 1560.
5. The DANISH and JAPANESE Delegates also agreed to the Netherlands proposal.
6. The FRENCH Delegate stated that he could agree to the Netherlands proposal with certain reservations. When the definition of Item 1560 had been established in 1958, it referred to electronic "components" only, i.e. parts which maintained their characteristics whatever the frequency variation. Since diodes lacked this quality, the French authorities did not believe that they could be regarded as components. In 1958 moreover, diodes had been germanium diodes incapable of operating at temperatures above 70°C. There had thus been no intention of considering Item 1560 to cover anything but electronic components, and the French Delegation did not now feel it essential to exclude silicon diodes specifically from the definition. The particular problem encountered by the French authorities in this instance resided in the exact meaning of the word "components". The French translation used in Item 1560 was "pièces détachées", a term very different from "pièces de rechange" or spare parts, since it did not cover tubes or semi-conductors, under which category diodes and transistors fell. The Delegate believed, from the United Kingdom and United States catalogues he had seen, that the word "components" had this same restricted meaning, but would like to have confirmation of this. His authori-

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ties would not raise objection to the Netherlands proposal but wished it to be clearly understood that they regarded "pièces détachées" as including neither tubes nor semi-conductors.

7. The UNITED STATES Delegate stated that his authorities had studied the Netherlands proposal and were able to accept the Notes suggested. But he would have to reserve, and consult his authorities, on the position taken by the French, that Item 1560 excluded tubes and semi-conductors. With respect to the general French distinction between "components" and "spare parts", the United States Delegate considered that in English language usage the difference was only in the circumstances of shipment, not in the items themselves. For his part, he thought that the difference between spare parts and components depended upon the circumstances, i.e. whether the element concerned was fitted in or separate from its parent equipment. He felt that any piece of equipment having the characteristics described in Item 1560 should be regarded as under embargo, whether shipped as a component or as a spare part.

8. The NETHERLANDS Delegate thanked his colleagues for their readiness to accept his Delegation's proposals. The latter had been put forward solely in order to clarify the situation and were not intended to make any substantial changes. He thanked the French Delegation for not raising objection and for the explanation they had given as to the original intent of Item 1560, which would doubtless help to clarify the historical growth of the confusion between Items 1544 and 1560.

9. The COMMITTEE took note of the reservation made by the French Delegation and agreed to resume discussion of the matter on the 16th June. It further noted that agreement had been reached in principle on the Netherlands proposal to add to Items 1544 and 1560 the notes set out in COCOM 3715.44/5.

10. On the 1st June, the CHAIRMAN asked the French Delegate if the reservation made by his Delegation constituted an objection to the Netherlands proposal.

11. The FRENCH Delegate replied that he had no objection to the Netherlands proposal on condition that the term "components" used in Item 1560 did not cover tubes and semi-conductors. He was unable to take up a final position until he had consulted competent experts on this question of interpretation.

C O N F I D E N T I A L